

REGISTER OF CLASSIFICATION DECISIONS

Title of Publication: Hustler Best Of Barely Legal

Other Known Title: Hustler Best Of Barely Legal 2005

Format: Magazine

Producer/Publisher: LFP Inc.

Country of Origin: USA

Language: English

Applicant: Comptroller of Customs

Distributor: Nauti Nik Naks

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
------------------------	---

Descriptive Note: Not Applicable.

Display Conditions: That when the publication is on public display, the classification given to the publication must be shown by way of a label issued in accordance with a direction under section 36A(2);

and

That the label must be affixed to the package in which the publication is displayed so that the classification is brought to the attention of purchasers;

and

that the publication must be publicly displayed only in a sealed package.

Date of entry in Register: 10 August 2006

Date of direction to issue a label: 09 August 2006

OFLC No: 601155

Excisions: Not Applicable

Reasons for excisions:

Not Applicable

**Summary of reasons
for classification:**

The magazine entitled *Hustler Best Of Barely Legal* is classified as:
Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

The publication is a magazine that consists predominantly of a series of photo spreads depicting young women, naked or semi-naked, displaying themselves sexually for the reader. The magazine comes close to, but does not meet, the test of promoting or supporting, or tending to promote or support, the exploitation of young persons for sexual purposes. The magazine concentrates on the sexual characteristics of young women, but the age of the models is clearly 18 or over and the text also carefully specifies in each story that the model is 18 years or over. In this instance this is sufficient to outweigh and negate those smaller parts of the magazine which are suggestive of the idea of sexual conduct with or between young persons.

Potential injury lies in the publication's depictions of sexualised nudity and explicit descriptions of sexual activity, some of which are likely to disturb children and to influence young people's attitudes. Some of the magazine's content, particularly the advertisements, is also considered to degrade, dehumanise and demean women to a moderate degree. A restriction on the availability of the publication to an adult audience interferes with the right to freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990, but this is a limitation that is demonstrably justified given the likely injury to the public good from the publication's potential to adversely affect children and young persons.